

Order Regarding Motion for Sentence Reduction (Modified AO 247)

**UNITED STATES DISTRICT COURT**  
 for the  
 Northern District of Mississippi

**FILE****MAR 11 2009**

United States of America	)	)	Case No. 4:99CR00060-B USM No. 11066-042
v.	)		
Marcus Brown	)		
Date of Previous Judgment: January 11, 2000 (Use Date of Last Amended Judgment if Applicable)	)	Defendant's Attorney: Federal Public Defender N.D.	

 DAVID  
 By R. Capps

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon agreed motion of  the defendant,  the U.S. Attorney,  the Director of the Bureau of Prisons,  the court, under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 months is **reduced to 210 months**,

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level:	37	Amended Offense Level:	35
Criminal History Category:	III	Criminal History Category:	III
Previous Guideline Range:	262-327 months	Amended Guideline Range:	210-262 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE** (Prior to any departures)

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

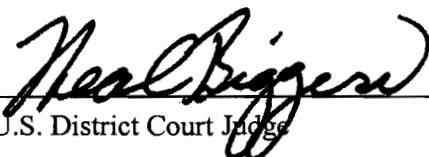
**III. ADDITIONAL COMMENTS:** This order becomes effective on the date(s) listed below. If the sentence imposed is less than the term already served, the sentence is reduced to a "time served" sentence.

Except as provided above, all provisions of the judgment dated January 11, 2000 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 3/11/09

Effective Date: 3/21/09  
(if different from order date)

  
 U.S. District Court Judge